

SENATE FLOOR SUBSTITUTE FOR  
SENATE BILL 345

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

AN ACT

RELATING TO PROCUREMENT; AUTHORIZING THE USE OF DESIGN AND  
BUILD PROJECT DELIVERY SYSTEMS FOR CERTAIN TRANSPORTATION  
CONSTRUCTION PROJECTS FUNDED IN WHOLE OR IN PART BY THE GRANTS  
PROGRAMS OF THE FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT  
OF 2009; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. DESIGN AND BUILD PROCUREMENT FOR CERTAIN  
TRANSPORTATION PROJECTS.--Notwithstanding any prohibition on  
road and highway construction or reconstruction projects in  
Section 13-1-119.1 NMSA 1978, the department of transportation  
may use a design and build project delivery system pursuant to  
Section 13-1-119.1 NMSA 1978 for projects with a maximum  
allowable construction cost of more than fifty million dollars  
(\$50,000,000) funded in whole or in part by the grants programs

.178335.1

underscored material = new  
[bracketed material] = delete

1 of the federal American Recovery and Reinvestment Act of 2009.

2 Section 2. EMERGENCY.--It is necessary for the public  
3 peace, health and safety that this act take effect immediately.